

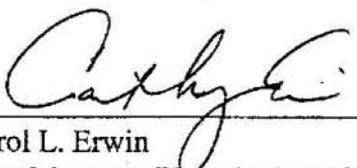
United States Department of the Interior
Bureau of Reclamation
Lower Colorado Region
Phoenix Area Office

FINDING OF NO SIGNIFICANT IMPACT

Native Fish Restoration
in Fossil Creek

Coconino and Tonto National Forests
Gila and Yavapai Counties, Arizona

Approved: _____


Carol L. Erwin
Area Manager, Phoenix Area Office
Bureau of Reclamation

Date: _____

6/8/04

FONSI No. 04-1

Pursuant to the National Environmental Policy Act (NEPA) of 1969, as amended, and based upon the analysis presented within the attached Final Environmental Assessment (EA) on Native Fish Restoration in Fossil Creek, the Bureau of Reclamation (Reclamation) has determined that construction and operation of a fish barrier and other associated activities in Fossil Creek will not be a major Federal action significantly affecting the quality of the human environment.

BACKGROUND

In 1994, the Fish and Wildlife Service (FWS) issued a final biological opinion (Opinion) on the transportation and delivery of Central Arizona Project (CAP) water to the Gila River basin and its potential to introduce and spread nonnative aquatic species. The Opinion concluded that long-term operation of the CAP would jeopardize the continued existence of several federally-listed species of native Arizona fishes. The Opinion also identified a reasonable and prudent alternative to avoid jeopardy that included construction of several fish barriers. In 2001, the FWS, in consultation with Reclamation, revised this Opinion and included construction of a fish barrier in Fossil Creek as a required measure.

The EA describes potential impacts from construction of a fish barrier, stream renovation with the piscicide antimycin A, and restocking native fishes in Fossil Creek. Two barrier location alternatives (wilderness site vs. nonwilderness site) and no action are evaluated in the EA. Numerous other alternatives were considered and rejected due to technical and biological infeasibility or ineffectiveness.

Scoping information was sent to 63 addressees soliciting comments for the project on April 25, 2002. The proposal was also listed on the Coconino and Tonto National Forest's Schedule of Proposed Actions. Several issues were identified from discussions among interdisciplinary team members and comments from 17 respondents during public scoping. Concern about effects on nontarget biota, sediment transport, water quality, human health, wilderness, potential Wild and Scenic River Act designation, and project logistics were raised. These issues formed the basis for refining the project and developing mitigation measures.

A draft EA was mailed to more than 90 addressees on December 23, 2003, for 30-day public comment. In addition, a public notice was published in the Arizona Republic and news releases were sent to six other newspapers in Arizona regarding availability of the draft EA. The draft EA was also available on the Coconino National Forest NEPA website and at specified offices of the Coconino and Tonto National Forests. Eleven letters were received in response to the draft EA during the 30-day comment period.

FINDING OF NO SIGNIFICANT IMPACT

Reclamation has determined the proposed action will not significantly impact the environment, and preparation of an environmental impact statement is not warranted. This decision is based upon the following considerations:

1. Adverse aquatic habitat impacts will be insignificant. Localized and minor increases in stream turbidity attributable to the project will be substantially restricted to a 1-month period of active construction. No long-term effect on water quality, stream dynamics, or sediment transport is anticipated. The application of antimycin A in selected reaches of stream has the potential to temporarily reduce the abundance of certain groups of aquatic macroinvertebrates, but long-term effects are expected to be minimal in regard to number, biomass, and diversity. Effects to other nontarget species will be limited to native fishes within treatment areas that escape capture prior to application of antimycin. All stream treatments will include potassium permanganate drip stations to detoxify antimycin below treatment areas. Degradation byproducts of potassium permanganate and antimycin will have a negligible effect on water quality or aquatic biota. Use of piscicides on National Forest lands is consistent with Forest Service policy, which allows chemical treatments for reestablishment of indigenous, threatened, or endangered native species or to correct undesirable conditions caused by human influence.

2. A Clean Water Act Section 404 permit was issued by the U.S. Army Corps of Engineers for the Fossil Creek fish barrier on October 30, 2003. The Arizona Department of Environmental Quality issued a 401 water quality certification for activities associated with the project on June 24, 2003. Coverage under the Section 402 Arizona Pollutant Discharge Elimination System general storm water permit for construction activities will be obtained prior to construction.

3. Effects of the project on terrestrial biota are insignificant. The project will have limited and discountable impacts on less than 1.4 acre of upland and riparian habitat. Human activities associated with construction and stream renovation will not result in substantial disturbances to terrestrial wildlife.

4. The project will have no significant effects on threatened, endangered, candidate, or Forest Service listed sensitive species. A biological assessment prepared by Reclamation concluded there will be no adverse effect to federally-listed species or adverse modification of designated critical habitat.

5. The project will not cause the loss or destruction of significant cultural or historic resources. Measures recommended in a Class III (intensive) archaeological inventory of the project area will be implemented by Reclamation to avoid impacts to cultural resources. Based on the inventory data and associated mitigation commitments, the Forest Service submitted a no effect determination to the State Historic Preservation Office. The State Historic Preservation Office concurred with the no effect determination on December 10, 2003.

6. The project will not affect Fossil Creek's eligibility as a wild and scenic river. A Wild and Scenic River Act Section 7(a) analysis conducted by the Forest Service concluded that barrier construction will have a negligible effect on overall function and free-flowing character of Fossil Creek in respect to possible future designation under the Act. Project implementation will not affect the Verde Wild and Scenic River corridor.

7. Effects of the project on the Mazatzal Wilderness are insignificant. In its June 2004 Decision Notice, the Forest Service approved project implementation in the Mazatzal Wilderness subject to compliance with mitigation specified in the final EA. Based on prior precedent and Forest Service policy, barrier construction and piscicide use are accepted activities to protect imperiled native fish communities within Wilderness.

8. Recreation and visual quality effects of the project are insignificant. Fishing recreation is light, and removal of the nonnative sport fishery will have a minor effect on the angling public. The barrier will be colored and textured to visually conform to surrounding terrain.

9. Effects to soils and air quality are insignificant. Total impact to soils, including sediment impounded by the barrier, is estimated to be less than 1.5 acre. Exposed bedrock and rocky substrates at the barrier site and along the stream banks will limit erosion potential. Temporary and highly localized air emissions from construction will have a minor effect on air quality.

10. Rights to surface water within Fossil Creek will not be significantly affected by the project. These water rights are held by the Salt River Project (SRP). Reclamation will compensate SRP for water losses attributable to construction and operation of the barrier.

11. There are no known or expected adverse effects to public health, safety, or populations defined by Executive Order 12898 (Environmental Justice).

12. Indian Trust Assets will not be affected.

13. The mitigation and monitoring requirements identified in the final EA will be implemented by Reclamation and the Forest Service.

Documents related to this action are listed below.

Archaeological Consulting Services, Inc. 2003. Cultural Resources Survey of 34 Acres Along Fossil Creek in the Vicinity of Proposed Fish Barriers, Yavapai County, Arizona. ACS Project No. 03-038, Cultural Resources Report No. 136.

Forest Service. 2004. Decision Notice and Finding of No Significant Impact for Native Fish Restoration in Fossil Creek. USDA Forest Service. Coconino and Tonto National Forest, Gila and Yavapai Counties, Arizona.

U.S. Bureau of Reclamation. 2002. Biological Assessment for Native Fish Restoration in Fossil Creek. Phoenix Area Office, Phoenix, Arizona.

U.S. Bureau of Reclamation. 2004. Final Environmental Assessment, Native Fish Restoration in Fossil Creek. Phoenix Area Office, Phoenix, Arizona. Attached.