

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

FINDING OF NO SIGNIFICANT IMPACT

**Aquatic Research and Conservation Center
Enhancement and Modernization Project**

Yavapai County, Arizona

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FONSI No. PXAO-15-01

INTRODUCTION

In accordance with the National Environmental Policy Act (NEPA) of 1969 (Public Law 91-90), Council on Environmental Quality regulations implementing NEPA (40 CFR §§ 1500-1508), Department of the Interior NEPA regulations (43 CFR Part 46), the Bureau of Reclamation (Reclamation), as the lead Federal agency, has issued a final Environmental Assessment (EA) (Reclamation 2015a) to disclose the potential environmental impacts that will result from implementation of a proposal to expand and modernize the Aquatic Research Conservation Center (ARCC). The U.S. Fish and Wildlife Service (USFWS) and Arizona Game and Fish Department (AZGFD) were cooperating agencies in the preparation of the EA.

BACKGROUND

The purpose of the proposed action is to expand and modernize the ARCC to enhance its utility in assisting Reclamation's Gila River Native Fishes Conservation Program to conserve and recover federally-listed native fishes in the Gila River basin. The ARCC is owned and operated by the AZGFD but funded by Reclamation.

The ARCC has the primary purpose of holding and propagating two of the rarest endemic fishes of the Gila River basin, spikedace and loach minnow. Both of these minnow species are classified as endangered under the Endangered Species Act. Reclamation's Gila River Native Fishes Conservation Program was developed in response to a series of biological opinions that addressed negative impacts to federally threatened and endangered native fishes resulting from transportation and delivery of Central Arizona Project water to the Gila River basin.

ALTERNATIVES CONSIDERED

Reclamation considered "no action" and the proposed action in the EA.

No Action. As considered in the EA, if no action is taken, Reclamation would not provide funding for the proposed facility expansion and upgrades. Without the proposed improvements, the contributions of the ARCC for conservation and recovery of native fishes would remain near current levels, and the facility would not be able to adequately meet the challenges of holding and propagating populations of newly-listed fishes. No action would delay progress toward recovery of those species until other facilities could be developed to accommodate their hatchery needs.

Proposed Action (Action to be Implemented). Under the proposed action, Reclamation will provide the necessary funding to implement the proposed expansion and upgrades to the ARCC. A description of the proposed facility improvements is included in the EA.

CONSULTATION, COORDINATION, AND PUBLIC INVOLVEMENT

Program specialists from Reclamation and AZGFD helped define the range of resource issues that were addressed in the EA. Issues that were identified are directly or indirectly caused by implementing the proposed action for which a cause and effect relationship has been identified. No issues identified within the scope of the project were of sufficient concern to drive the

development of other action alternatives.

A notice of availability regarding the draft EA was distributed to the public and agencies for a 30-day public comment period on April 14, 2015. The draft EA was available for viewing or downloading at <http://www.usbr.gov/lc/phoenix/>. One letter of comment regarding the draft EA was received by Reclamation. Comments contained in that letter were addressed in the final EA.

Concurrent with development of the draft EA, Reclamation consulted with the USFWS under section 7(a)(2) of the Endangered Species Act. The possible effects to listed species, including northern Mexican gartersnake, resulting from implementation of the proposed action were addressed in a biological assessment prepared by Reclamation and submitted to the USFWS on March 18, 2015 (Reclamation 2015b). In its biological opinion, dated August 6, 2015, the USFWS concluded that the proposed ARCC project would not likely jeopardize the continued existence of the northern Mexican gartersnake. No reasonable and prudent measures were included in the biological opinion's take statement beyond what Reclamation proposed as part of the proposed action.

Reclamation consulted with the Arizona State Historic Preservation Office (SHPO) in compliance with section 106 of the National Historic Preservation Act. The following federally recognized Indian tribes were also notified of the proposed project: Hopi Tribe, Fort McDowell Yavapai Nation, Yavapai-Apache Nation, Yavapai-Prescott Indian Tribe, Pueblo of Zuni, Hualapai Tribe, and Salt River Pima-Maricopa.

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Based upon consideration of the effects presented in the final EA, Reclamation has determined the proposed action will not significantly impact the human environment and that preparation of an environmental impact statement is not warranted.

MAJOR CONSIDERATIONS

The following issues have been taken into consideration in Reclamation's deliberation whether a Finding of No Significant Impact is appropriate, or an environment impact statement should be prepared.

1. The EA demonstrates that there will be no significant adverse or beneficial impacts on the quality of the human environment including water, air, land use, soil, and cultural and biological resources. Impacts to physical and biological resources will be highly localized and limited to the project area.
2. The project area is situated entirely on the grounds of the existing hatchery facility. There will be no disproportionate direct or indirect effects on populations defined in Executive Order 12898 (Environmental Justice). There will be no risk to public health and safety.
3. There are no wild and scenic rivers, wilderness areas, refuges, park lands, or other unique or rare characteristics of the land and aquatic environs that will be significantly affected. Impacts to vegetation will not be significant.

4. There are no known scientific controversies over the effects of the proposed action on the human environment. There is no known controversy regarding the effects of this project on the quality of the human environment, based on the analysis and public comments received.
5. There are no known effects on the human environment that are highly uncertain or involve unique or unknown risks.
6. The proposed action does not set a precedent for similar projects that may be implemented by Reclamation or other agencies.
7. There are no known incremental effects of the action that become significant when added to other past, present, or reasonably foreseeable future actions that have affected, or will affect, the project area.
8. Three previous archaeological surveys have been completed within the Bubbling Ponds hatchery property including the area of potential effect for the proposed ARCC modernization project. Based on the negative finding of those surveys, there are no known cultural resources located within the area of potential effect of the proposed project. A Class III survey of the potential construction area was not practical due to dense vegetation obscuring the ground surface. Therefore, construction monitoring by a qualified archaeologist, either Reclamation or a designated contractor, will be required during all ground disturbing actions for the proposed project.
9. The EA demonstrates that federally listed and proposed species will not be significantly affected by the proposed action. A biological assessment prepared by Reclamation determined that construction associated with proposed action will likely adversely affect northern Mexican gartersnake due to potential lethal contact during construction. In an attempt to avoid or minimize the negative effects of the project to northern Mexican gartersnake, Reclamation or its designee will conduct a biological survey of the project area immediately prior to initiation of construction, and move any gartersnakes encountered away from the project area. During the course of construction, Reclamation or its designee will monitor for presence of northern Mexican gartersnake. If any gartersnakes are detected in the immediate project area, work would cease at the site until the individual(s) was captured and transported away from the area. No effect to other listed species is anticipated. The project is expected to have a long-term beneficial effect to loach minnow and spikedace.
10. The proposed action will not violate Federal, State, or local law or requirements imposed for the protection of the environment. AZGFD will be required to prepare a storm water pollution prevention plan and obtain coverage under the Clean Water Act Section 402 construction general permit for storm water discharges.
11. Indian trust assets will not be affected. Impacts of the project will be limited to lands owned and administered by AZGFD for the purpose of rearing spikedace and loach minnow.

Documents cited.

Bureau of Reclamation (Reclamation). 2015a. Final environmental assessment. Expansion and modernization of the Aquatic Research and Conservation Center. Phoenix Area Office, Phoenix, AZ.

Bureau of Reclamation (Reclamation). 2015b. Biological assessment of impacts to federally listed species from a proposed expansion/modernization of the Aquatic Research and Conservation Center. Phoenix Area Office, Phoenix, AZ.

U.S. Fish and Wildlife Service (USFWS). 2015. Biological opinion for the expansion/modernization of the Aquatic Research and Conservation Center.