

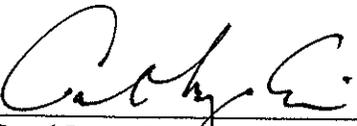
United States Department of the Interior
Bureau of Reclamation
Lower Colorado Region
Phoenix Area Office

FINDING OF NO SIGNIFICANT IMPACT

PROPOSED LAND ACQUISITION WITHIN THE GILA RIVER FLOODPLAIN
NEAR FORT THOMAS FOR SOUTHWESTERN WILLOW FLYCATCHER HABITAT,
GRAHAM COUNTY, ARIZONA

ENVIRONMENTAL ASSESSMENT

Approved: _____


Carol Lynn Erwin, Area Manager
Phoenix Area Office
Bureau of Reclamation

Date: _____

7/20/05

FONSI No. PXAO 05-01

The Bureau of Reclamation (Reclamation) has prepared an Environmental Assessment (EA) to disclose information relevant to potential environmental impacts resulting from the purchase and management of an estimated 700 acres of riparian habitat within the Gila River floodplain. The subject property is located approximately 3 miles southeast of Fort Thomas in Graham County, Arizona, and encompasses portions of Sections 17, 18, 19, and 20 of Township 5 South, Range 24 East, of the Gila and Salt River Baseline and Meridian.

Under the proposed action, Reclamation would purchase approximately 700 acres of land within the Gila River floodplain between the Fort Thomas crossing and Eden Bridge in Graham County, Arizona. The subject property contains habitat suitable for the endangered Southwestern willow flycatcher (*Empidonax traillii extimus*) (willow flycatcher). Reclamation would then enter into an agreement with SRP, which would manage this property in perpetuity to benefit the willow flycatcher.

Reclamation has determined that the purchase of land for willow flycatcher habitat, entering into an agreement with SRP to manage the property, and SRP's management in perpetuity for the benefit of the willow flycatcher will not result in significant environmental impacts to the subject property or adjacent lands/landowners, or to communities in the general vicinity, which would merit preparation of an environmental impact statement.

BACKGROUND

The proposed land purchase is in support of Reclamation's implementation of a reasonable and prudent alternative (RPA) included in a 1996 Biological Opinion (Opinion) issued by the U.S. Fish and Wildlife Service (FWS) pursuant to Section 7 of the Endangered Species Act (ESA). The purpose of the RPA is to compensate for impacts to willow flycatchers and loss of their habitat at Roosevelt Lake, resulting from Reclamation's raising Roosevelt Dam to create additional water conservation and new flood control space in Roosevelt Lake. Purchasing land to benefit the species is one of the management actions that fulfill Reclamation's obligations under the RPA.

SRP operates and maintains Roosevelt Dam pursuant to a 1917 agreement with Reclamation. By 2001, in response to the increasing willow flycatcher population at Roosevelt Lake, SRP determined that in order to store water in both the old and new conservation space and have full operational control over the reservoir, a "take" permit from the FWS was needed. The take permit would protect SRP from liability for any harm caused to willow flycatchers resulting from inundation of flycatcher nesting habitat within the reservoir. In 2002, SRP completed development of the Roosevelt Habitat Conservation Plan (RHCP) for authorization of incidental take of federally listed threatened and endangered species pursuant to Section 10 of the ESA. FWS issued a Section 10 Incidental Take Permit to SRP in 2003 based upon SRP's 2002 RHCP. Among other things, the RHCP requires additional acquisition and management of riparian habitat and incorporates Reclamation's requirements from the 1996 Opinion. By managing

Reclamation's property, SRP will receive credit toward its RHCP obligation of Habitat Acquisition and Management.

Reclamation's EA describes and addresses potential environmental consequences resulting from the purchase and management of the subject property in perpetuity for the benefit of willow flycatchers. A draft EA was distributed to over 100 entities on May 26, 2005, for a 36-day public review and comment period. Those receiving the EA included public agencies, tribal governments, and interested and/or affected local organizations and private entities. Six letters of comment were received, two of which voiced strong opposition. Claims identified in those two letters, regarding the significance and inevitability of impacts from the proposed action, were not substantiated. The EA was revised to provide additional information and clarifications in response to comments received. Copies of the comment letters received on the draft EA, and Reclamation's responses to the comments, are provided in Appendix A to the final EA.

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Based upon the EA, and consideration of comments received during the public review, Reclamation has determined that purchase of the subject property, and SRP's management of it in perpetuity for the benefit of the willow flycatcher, will not significantly impact the environment. Preparation of an environmental impact statement is not required. This decision is based upon the following considerations.

1. The subject property is located within the Gila River floodplain. None of the land is being cultivated or was recently under cultivation. Reclamation does not anticipate that long-term management for the benefit of willow flycatchers will result in substantial change to current land use of the property. The property consists of vegetation typical of the Sonoran Riparian Scrubland community that is now dominated by saltcedar (*Tamarix ramosissima*). Small patches and narrow isolated Goodding willow (*Salix gooddingii*) and cottonwood (*Populus fremontii*) trees are interspersed.
2. FWS has agreed the property meets the intent of the Opinion and has concurred with Reclamation's determination that the project will have beneficial effects on the willow flycatcher.
3. There will be no substantive change to water use, water quality, or water quantity as a result of the proposed action. The land is currently not farmed or irrigated. Reclamation does not intend to purchase, hold, or exercise any of the Gila Decree water rights that may be associated with the property. Decreed lands may be eliminated from the property to be purchased. In the event any portion of the lands proposed for purchase remains decreed acres, Reclamation will forego those water rights through the purchase agreement.

4. Reclamation will be responsible for installing fences to manage human use of the property and exclude livestock, providing or improving access as needed, providing signage, and removing trash and debris from the property. Discarded concrete piping will be sampled for potential asbestos content prior to disposal. All trash and debris will be properly disposed of at an approved, permitted facility.
5. Reclamation will enter into an agreement with SRP for long-term management of the subject property. SRP will then take over management of the estimated 700 acres to benefit the willow flycatcher in perpetuity. Within a year of Reclamation's purchase of the property, SRP will develop a detailed management plan for the property that, once approved by FWS and with Reclamation's concurrence, will be used to protect the project area's riparian corridor. A wildfire abatement and response plan will be developed to provide pertinent information to fire-fighting agencies. SRP will coordinate development of its plan with Graham County, recognizing that Graham County has developed a Community Wildfire Protection Plan.
6. Reclamation will ensure a Class III intensive cultural resource survey has been conducted on the subject property and consultation has been completed with the State Historic Preservation Officer (SHPO) prior to commencement of any land-disturbing activities. If necessary, Reclamation will develop appropriate mitigation measures in consultation with the SHPO and, for significant prehistoric sites, with interested Indian tribes.
7. Reclamation initiated consultations with the Hopi Tribe, Gila River Indian Community, Salt River Pima-Maricopa Indian Community, Fort McDowell Yavapai Nation, and San Carlos Apache Tribes regarding the presence of traditional cultural properties (TCPs) on the subject property. No TCPs were identified by these Tribes.
8. If previously unidentified cultural resources, especially human remains or burials, are encountered during land-disturbing activities on the property, Reclamation will require that work cease immediately at the location, and that personnel from Reclamation's Cultural Resource Branch be notified.
9. Two letters received on the draft EA indicated that local programs are planned to eradicate saltcedar along the Gila River floodplain, which would result in restoration of native vegetation and increases in Gila River flows. The comments in these two letters expressed concern that the proposed project would jeopardize the success of these local efforts, and that saltcedar on the subject property would remain a seed source that would re-establish saltcedar in cleared areas. Reclamation believes the preponderance of recent studies indicates comprehensive eradication of saltcedar and replacement with native riparian habitat are not reasonably foreseeable, given existing technology and the upper Gila River's current flow regime. The most successful outcome expected of any restoration program in this geographic area would be a mixed stand of saltcedar and native species. Additionally, there are extensive existing stands of saltcedar in the Safford Valley and along the Gila River downstream to San Carlos Reservoir. These are located mostly on privately owned lands, properties currently managed and owned by Salt River Project

and Phelps Dodge for habitat mitigation purposes, Federal land managed by the Bureau of Land Management, and on Tribal lands. Saltcedar on these other properties would serve as major contributors of seed along the upper Gila River, with or without the proposed action.

10. Notwithstanding Reclamation's belief regarding the outcome of future local saltcedar control programs, in the event a local large-scale program of saltcedar eradication is successfully carried out, and if it can be shown that conversion of saltcedar to native habitat suitable for willow flycatchers can be sustained, Reclamation and SRP would be willing to consider participating in such a program on the purchased property, contingent upon available funding and FWS approval.

11. Reclamation will ensure environmental clearances, as required by law and Reclamation policy, will be conducted for any future land-disturbing activities proposed on the subject property.

Documents related to this action are identified below.

Salt River Project. 2002. "Roosevelt Lake Habitat Conservation Plan Submitted Pursuant to Section 10(a)(1)(B) of the Endangered Species Act." Environmental Services Department. Phoenix, Arizona. December 2002.

U. S. Bureau of Reclamation. 2005. *Final Environmental Assessment, Proposed Land Acquisition Within the Gila River Floodplain Near Fort Thomas for Southwestern Willow Flycatcher Habitat, Graham County, Arizona*. Phoenix, Arizona. July 2005.

U.S. Fish and Wildlife Service. July 17, 1996. "Biological Opinion for the Southwestern Willow Flycatcher and the Operation of the Modified Roosevelt Dam." Phoenix, Arizona.