

Finding Of No Significant Impact (FONSI)

LC-18-05

for

Final Environmental Assessment for the Final Amendment to add Northern Mexican Gartersnake to the Lower Colorado River Multi-Species Conservation Program as a Covered Species

Boulder City, Nevada

Based on a thorough analysis of the potential environmental impacts presented in the Environmental Assessment, the Bureau of Reclamation (Reclamation) finds that implementation of the Proposed Action will not significantly affect the quality of the human environment within or adjacent to the project area, therefore an Environmental Impact Statement will not be prepared.

Accordingly, this FONSI is submitted to document environmental review and evaluation of the Proposed Action Alternative in compliance with the National Environmental Policy Act (NEPA) of 1969, as amended.

Prepared: Faye Steier Date: March 5, 2018
Natural Resource Specialist

Recommended: [Signature] Date: 5 MAR 18
Manager, Environmental Compliance Group

Approved: [Signature] Date: 3/5/18
Chief, Resource Management Office
[Signature]

Background

The U.S. Fish and Wildlife Service (Service) as the lead Federal agency and Reclamation, Lower Colorado River Multi-Species Conservation Program (LCR MSCP) as a cooperating agency prepared the *Final Environmental Assessment for the Final Amendment to add Northern Mexican Gartersnake to the Lower Colorado River Multi-Species Conservation Program as a Covered Species* (EA) (Attachment A).

The EA was prepared to evaluate the impacts of, and alternatives to, the Service amending the Endangered Species Act (ESA) Section 10(a)(1)(B) permit (Permit No. TE086834-0) (Permit) for LCR MSCP to add the northern Mexican gartersnake (*Thamnophis eques megalops*) to the LCR MSCP Permit as a covered species; and to evaluate the impacts of implementation of the amended LCR MSCP Habitat Conservation Plan (HCP) by Reclamation, the Federal agency responsible for implementing the LCR MSCP on behalf of the Federal participants and non-Federal permittees.

The EA is tiered to the *LCR MSCP Final Programmatic Environmental Impact Statement /Environmental Impact Report* (LCR MSCP FEIS/EIR) and resulting Record of Decision which provided NEPA compliance for the LCR MSCP. Reclamation hereby adopts the EA, which is incorporated by reference into this FONSI. This FONSI has been prepared for Reclamation's action of implementing the amended LCR MSCP. The Service will issue a separate FONSI for their action of amending the LCR MSCP Permit.

Alternatives Considered

A No Action Alternative and a Proposed Action were considered. Under the No Action Alternative, the amendment to the LCR MSCP Permit would not be approved. Implementation of the LCR MSCP HCP would continue without the amendment. The LCR MSCP non-Federal parties would have to seek other methods to comply with the ESA for the northern Mexican gartersnake.

The Proposed Action

Under the Proposed Action, the amendment to the LCR MSCP Permit, and implementation of the amended LCR MSCP HCP would occur. A portion of the habitat already created or planned to be created under the LCR MSCP would be managed for the northern Mexican gartersnake. The LCR MSCP Planning and Off-Site Conservation Areas, covered actions, and the total amount of habitat created under the LCR MSCP, as outlined in the LCR MSCP HCP, would not change under the amendment. Two new conservation measures, NMGS1 and NMGS2, would be implemented for the northern Mexican gartersnake. Existing LCR MSCP HCP avoidance and minimization measures would also apply to the northern Mexican gartersnake. Details of the Proposed Action can be found in Section 2.2 and Section 11 of the EA.

Environmental Impacts and Findings

Section 4 of the EA analyzed the impacts of implementing the LCR MSCP HCP on all of the resource areas evaluated in the FEIS/EIR which are: Aesthetics, Agricultural Resources, Air Quality, Biological Resources, Cultural Resources, Energy and Depletable Resources, Environmental Justice; Hazards and Hazardous Materials; Hydrology and Water Quality; Indian Trust Assets; Land Use; Noise; Population and Housing; Public Utilities and Services; Recreation; Socioeconomics; Topography, Geology, Soils and Mineral Resources; Transboundary Impacts, and Transportation. Sections 5, 6, and 7 evaluate Cumulative Impacts, Irreversible and Irrecoverable Commitment of Resources, and Short-term use of the Environment versus Long Term Productivity.

The environmental consequences analysis focused on only the potential impacts of implementing the No-Action Alternative and Proposed Action to determine if there would be any impacts that were not adequately described in the LCR MSCP FEIS/EIR. In accordance with 43 CFR 46.140, the conditions and environmental effects described in the LCR MSCP FEIS/EIR were reviewed and determined to still be valid. With the exception of Biological Resources, it was determined that there would be no impacts to any of the resources beyond those that were described and fully analyzed in the LCR MSCP FEIS/EIR.

For Biological Resources, implementation of the covered activities described in the LCR MSCP Biological Assessment and the LCR MSCP HCP could result in the loss of up to 1,227 acres of marsh and associated cottonwood-willow land cover types that may provide habitat for the northern Mexican gartersnake within the LCR MSCP planning boundary over the remaining life of the 50 year program (until 2055). Some additional limited and low value habitat such as dry patches of herbaceous vegetation near marsh edges could be affected by habitat creation and maintenance activities; however, the level of take is assumed to be low because of the limited value of the potentially affected habitat to northern Mexican gartersnake.

This will not be a significant impact because the conservation measures included in the amendment to the LCR MSCP HCP would achieve the LCR MSCP goal to avoid, minimize, and fully mitigate adverse effects of covered activities and LCR MSCP implementation on the northern Mexican gartersnake, and to contribute to its recovery by providing new habitat that will be managed for the northern Mexican gartersnake. No additional impacts to Biological Resources that were not evaluated in the LCR MSCP FEIS/EIR were identified.